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Letter dated 30 November 2009 from the Secretary-General addressed to the President of the Security Council

I refer to my letter dated 3 December 2008 (S/2008/756) informing the President of the Security Council of the progress made by the Cameroon-Nigeria Mixed Commission, and his reply dated 9 December 2008 (S/2008/757), in which he took note of my intention to continue the activities of the United Nations support team to the Mixed Commission with funding from the regular budget. In the same spirit, by the present letter, I would like to inform you of the latest achievements and activities undertaken by the Commission.

As you know, the United Nations established the Mixed Commission to facilitate the implementation of the 10 October 2002 ruling of the International Court of Justice on the Cameroon-Nigeria boundary dispute. Through my good offices, and with the support of the United Nations Secretariat, I have continued to facilitate the implementation of the ruling of the International Court of Justice.

The mandate of the Mixed Commission includes supporting the demarcation of the land boundary and delineation of the maritime boundary, facilitating the withdrawal and transfer of authority along the boundary, addressing the situation of affected populations and making recommendations on confidence-building measures. Achievements to date in the implementation of the ruling of the Court include withdrawal and transfer of authority in the Lake Chad area (December 2003), along the land boundary (July 2004) and in the Bakassi Peninsula (June 2006), as well as delineation of the maritime boundary (May 2007). In the course of 2009, the Mixed Commission was able to continue to facilitate the process smoothly and peacefully, including helping maintain open dialogue and communication between the two countries. The following are some of the activities for which the United Nations support team to the Mixed Commission has provided substantive, technical and logistical support.

Concerning the demarcation of the estimated 1,950-kilometre land boundary, the Mixed Commission expects to complete two field assessments along the boundary by the end of 2009, amounting to a total assessed boundary length of approximately 1,420 kilometres. Concerning physical demarcation, the majority of preliminary mapping and preliminary large-scale mapping through satellite imagery has been completed, as has the contract which establishes a geodetic network for the "as-built" survey of constructed pillars and the subsequent final mapping. The first part of the quality assurance contract for the geodetic network was completed in 2008. The contract to establish ground control points for the SPOT-5 satellite imagery to be used in the final mapping is in process and is expected to be concluded in the first quarter of 2010.

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Of major significance was the start, in November 2009, of the construction of permanent cement boundary pillars along the boundary. Pillar emplacement is the end result of complex technical preparatory work and will provide Cameroon and Nigeria with the first tangible evidence of the land demarcation process. The project proposal allows for the construction of up to 60 primary and 640 secondary boundary pillars at locations and to specifications defined by the Mixed Commission. The contract, which is implemented by the United Nations Office of Project Services, is split into three segments, the first of which covers some 700 kilometres from Lake Chad to the Benue River and is scheduled for completion by the end of the first quarter of 2010.

Reports by United Nations civilian observers monitoring the situation along the land boundary and in the Bakassi Peninsula have concluded that the prevailing situation continues to be peaceful. In 2009, the Mixed Commission continued to support the formulation of confidence-building measures to guarantee the security and welfare of affected populations and to promote initiatives to enhance trust between the two Governments and their peoples.

In 2009, the follow-up committee established by the 12 June 2006 Greentree Agreement continued its work following the final transfer of authority in the "zone" in the Bakassi Peninsula from Nigeria to Cameroon on 14 August 2008. On 21 May 2009, I appointed my Special Representative in West Africa and Chairman of the Mixed Commission, Mr. Said Djinnit, as Chairman of the follow-up committee, replacing Sir Kieran Prendergast. The two meetings of the Committee held in 2009 under the chairmanship of Special Representative of the Secretary-General Djinnit took place in New York on 16 June 2009 and in Geneva on 22 and 23 October 2009. The meetings allowed for agreement on activities to be conducted in the "zone" during the transitional five-year period (August 2008-August 2013) during which the Greentree Agreement provides for special legal protection to be granted to Nigerian residents. Those discussions also allowed for the resumption of observer visits to Bakassi in October 2009 and for renewed cooperation between Cameroon and Nigeria on security matters. The follow-up committee plans to meet again in the course of January 2010.

In 2010, the Mixed Commission will continue to provide Cameroon and Nigeria with surveying and cartographic support to facilitate the joint field assessment in connection with the demarcation of the land boundary. The Mixed Commission expects to cover the remaining length of the land boundary field assessment in 2011. It will oversee the implementation of projects by external contractors, including boundary pillar emplacement, which should be completed in 2012. At the request of Cameroon and Nigeria, the Mixed Commission will continue to provide substantive technical and legal guidance to the parties in 2010 to assist them in resolving outstanding areas of disagreement arising from the field assessment. All remaining land boundary demarcation activities are expected to be completed by 2012. Although delineation of the maritime boundary was completed in May 2007 and the boundary line was transposed onto an agreed map in March 2008, negotiations are expected to continue in 2010 to help the parties agree on modalities for exchanging information on the exploitation of oil and gas fields in the vicinity of the maritime boundary, paving the way for cross-border cooperation.

In addition, United Nations civilian observers will continue to monitor the situation of affected populations in the Lake Chad area, along the land boundary and in the Bakassi Peninsula in 2010. The transitional five-year period in the "zone" outlined above will require continued monitoring and reporting by United Nations

observers. The Chairman of the Mixed Commission shall ensure leadership in the coordination of United Nations supported projects implemented by United Nations country teams operating in Cameroon and Nigeria.

In addition, the United Nations will continue to advise the parties on the implementation of confidence-building measures and projects to promote joint economic ventures, cross-border cooperation and environmental safeguards, all of which are necessary to ensure the sustainability of good neighbourliness between them. Key areas identified for action by the Governments and their partners include food security, education, health, water and basic infrastructure, including the rehabilitation of the Mutengene-Abakaliki cross-border road. Ongoing support to the Lake Chad Basin Commission will be required, taking into consideration the provisions of Security Council resolution 1325 (2000) on women and peace and security, as and when appropriate.

After 2010, the following activities will conclude the work of the Mixed Commission:

(a) Assisting the parties in addressing remaining areas of disagreement arising from the field assessment;

(b) Coordinating and certifying demarcation contracts, including the completion of pillar emplacement and all remaining land boundary demarcation activities by 2012;

(c) Following up and supporting the activities of the Lake Chad Basin Commission and the Gulf of Guinea Cooperation Council;

(d) Promoting cross-border cooperation, including maritime cooperation on oil and gas fields straddling boundaries and joint security monitoring along the land boundary, and reviving the Joint Bilateral Commission between the two countries;

(e) Implementing exit strategies by handing over the activities of the Mixed Commission to the Joint Bilateral Commission and other subregional structures.

I would like to recall that, until 2003, the Mixed Commission was funded entirely from extrabudgetary funds. During the period from 2004 to 2009, the activities of the Mixed Commission were funded through the United Nations regular budget. The Governments of Austria, Brazil, Canada, Italy, Norway, Pakistan, Sweden and Uruguay have provided support in kind for the substantive and technical work of the Commission (military and legal experts), in addition to the logistical support provided by the Governments of Cameroon and Nigeria, and the voluntary contributions of the two countries, as well as those of Canada, the United Kingdom of Great Britain and Northern Ireland and the European Union, to the trust fund for the demarcation activities.

Given the cost-effectiveness of the mission and the important tasks remaining at this juncture to help advance the peaceful implementation of the ruling of the International Court of Justice, it is my intention to ask for resources from the regular budget for the Mixed Commission for the period from 1 January to 31 December 2010.

I should be grateful if you would bring the present letter to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon